

COUNTY COUNCIL
OF
HARFORD COUNTY, MARYLAND

Bill No. 05-13

Introduced by: Council Members Guthrie and Cassilly

Legislative Day No. 05-08 Date: March 8, 2005

AN ACT to repeal and reenact, with amendments, Article II, Fire Alarm Systems, of Chapter 84, Building, General, of the Harford County Code, as amended; to establish penalties for the activation of certain types of fire alarm systems in certain non-emergency situations; and generally relating to fire alarm systems.

By the Council, March 8, 2005

Introduced, read first time, ordered posted and public hearing scheduled

on: April 12, 2005

at: 6:45 p.m.

By order: Barbara J. Ruth, Council Administrator

PUBLIC HEARING

Having been posted and notice of time and place of hearing and title of Bill having been published according to the Charter, a public hearing was held on _____, and concluded on _____.

_____, Council Administrator

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW. [BRACKETS] indicate matter Deleted from existing law. Underlining indicates Language added to bill by amendment. Language Lined through indicates matter stricken out of Bill By amendment.

1 Section 1. Be It Enacted By the County Council of Harford County, Maryland, that
2 Article II, Fire Alarm Systems, of Chapter 84, Buildings, General, of the Harford County
3 Code, as amended, be, and it is hereby, repealed and reenacted, with amendments, all to
4 read as follows:

5 Chapter 84. Buildings, General.

6 Article II. Fire Alarm Systems.

7 Section 84-2. Definitions.

8 In this Article, the following words have the meanings indicated:

9 Alarm system:

10 A. An automatic fire alarm system; and

11 B. A system of manual fire alarm stations that produces an audible signal when
12 activated.

13 Alarm system contractor -- A person who installs, maintains, monitors, alters or services
14 alarm systems. "Alarm system contractor" does not include a person who sells or
15 manufactures alarm systems unless that person installs, maintains, monitors, alters or
16 services alarm systems.

17 Alarm user -- An occupant of a building, structure or facility in which an alarm system is
18 operational.

19 False alarm:

20 A. The activation of an alarm system that causes a response from a volunteer fire
21 company OR A FIRE COMPANY RESPONDING AT THE REQUEST OF A
22 HARFORD COUNTY VOLUNTEER FIRE COMPANY, if:

23 (1) The activation is not in response to an actual emergency; and

1 (2) The activation is not deliberate.

2 B. Includes:

3 (1) A negligently or accidentally activated alarm signal; and

4 (2) An alarm signal activated as the result of a faulty, malfunctioning or improperly
5 installed or maintained alarm system.

6 C. Does not include:

7 (1) An alarm signal activated by unusually severe weather conditions or other causes
8 beyond the control of the alarm user or alarm system contractor; or

9 (2) An alarm signal activated during the first [sixty (60)] 60 calendar days after an
10 alarm system is installed.

11 Section 84-3. False alarms.

12 A. When an alarm system is responsible for a false alarm, the Emergency Operations
13 Division may issue a civil citation to the alarm user if the alarm system has been
14 responsible FOR 2 OR MORE FALSE ALARMS WITHIN A CALENDAR YEAR. [for:

15 (1) Three (3) or more false alarms in the previous thirty (30) calendar days; or

16 (2) Five (5) or more false alarms in the previous twelve (12) months.]

17 B. The civil citation shall include a fine of:

18 (1) [Fifty dollars (\$50.) for the first citation; and] \$ 100 FOR THE SECOND FALSE
19 ALARM WITHIN A CALENDAR YEAR;

20 (2) [One hundred dollars (\$100.) for any subsequent citation.] \$ 500 FOR THE
21 THIRD FALSE ALARM WITHIN A CALENDAR YEAR; AND

22 (3) \$ 1000 FOR EACH SUBSEQUENT FALSE ALARM WITHIN A CALENDAR
23 YEAR.

1 Section 84-4. Defective alarm systems.

2 A. For the purposes of this subsection, an alarm system is defective if it is
3 responsible FOR 2 OR MORE FALSE ALARMS WITHIN A CALENDAR YEAR. [for:

4 (1) More than three (3) false alarms in a period of thirty (30) calendar days; or

5 (2) More than five (5) false alarms in a period of twelve (12) months.]

6 B. The Emergency Operations Division shall provide written notice to the alarm user
7 of a defective alarm system.

8 C. Upon receiving notice of a defective alarm system, the alarm user shall:

9 (1) Within [thirty (30)] 30 calendar days after receiving the notice, have the alarm
10 system inspected by an alarm system contractor; and

11 (2) Within [fifteen (15)] 15 calendar days after the inspection, file a written report
12 with the Emergency Operations Division.

13 D. The report shall contain:

14 (1) The results of the inspection;

15 (2) A description of the probable cause of the false alarms; and

16 (3) A description of all actions taken to prevent future false alarms.

17 E. The Emergency Operations Division may issue a civil citation to an alarm user
18 who continues to use a defective alarm system after being notified that the system is
19 defective. The citation shall include a fine of [two hundred dollars (\$200.)] \$ 200. Each
20 day a violation continues is a separate offense.

21 Section 84-5. Notice of service.

22 A. An alarm system contractor shall notify the Emergency Operations Division by
23 telephone before servicing an alarm system.

1 B. The Emergency Operations Division may issue a civil citation to an alarm system
2 contractor who violates Subsection A of this section if, while the contractor is servicing
3 an alarm system, the system is responsible for a false alarm.

4 C. The civil citation shall include a fine of:

5 (1) [Fifty dollars (\$50.)] \$ 100 for the first citation WITHIN A CALENDAR YEAR;
6 [and]

7 (2) [One hundred dollars (\$100.)] \$200 for [any subsequent citation.] THE SECOND
8 CITATION WITHIN A CALENDAR YEAR; AND

9 (3) \$1000 FOR EACH SUBSEQUENT CITATION WITHIN A CALENDAR
10 YEAR.

11 Section 84-6. Enforcement.


12 The Law Department shall enforce citations issued under this Article. The Enforcement
13 Authority granted by this section includes the authority to bring appropriate actions in the
14 District Court of Maryland.

15 Section 2. And Be It Further Enacted, That this Act shall take effect 60 calendar days
16 from the date it becomes law.

17

EFFECTIVE:

The Council Administrator does hereby
certify that fifteen (15) copies of this Bill are
immediately available for distribution to the public
and the press.


Council Administrator